UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

VENSON LANE MYERS Plaintiff, v. L.E.SCRIBNER, et al. Defendants.	)))))))))	Civil No.08cv117 W (WMc) **ORDER DENYING PLAINTIFF'S MOTION FOR DEFAULT [Doc. No. 14]**

On or about September 3, 2008, Plaintiff filed a Motion for Default. [Doc. No. 14.] In his Motion, Plaintiff requests "an entry of default against the named defendants in this action" on the ground that they were served on July 23, 2008, but failed to answer within twenty days. [Plaintiff's Motion at 2:14-21.] Specifically, Plaintiff argues that Defendants failed to file a responsive pleading by August 15, 2008. [*Id.* at 2:20-21.] However, a review of the computer docket in this case shows that on July 25, 2008, all defendants named in Plaintiff's instant motion filed a waiver of service thereby extending the time for filing a responsive pleading to August 22, 2008. [Doc Nos. 6-8.] Defendants filed a timely responsive pleading, the Motion to Dismiss, on August 21, 2008. [Doc. No. 11.] Accordingly, Plaintiff's Motion for Default Judgment is **DENIED**.

IT IS SO ORDERED.

DATED: September 12, 2008

Hon. William McCurine, Jr.
U.S. Magistrate Judge, U.S. District Court